

FILED

FEB 20 2015

RICHARD W. WIEKING
 CLERK U.S. DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 42 U.S.C. § 1983

1 COMPLAINT BY A PRISONER UNDER THE CIVIL RIGHTS ACT

2 Name: HUDSON TORIANO GERMAINE

(Last)

(First)

(Middle)

3 Prisoner Number: # CC14 GJ9944 Institutional Address: 901 COURT STMARTINEZ CA 94553

(PR)

HRL

7 UNITED STATES DISTRICT COURT

8 NORTHERN DISTRICT OF CALIFORNIA

9 TORIANO GERMAINE Hudson CV 15 787

10 (Enter your full name.)

11 Case No. _____
 (Leave blank; to be provided by Clerk of Court)12 vs.
RICHMOND POLICE DEPT
 13 _____
 14 _____
 15 (Enter the full name(s) of the defendant(s) in this action.)
 16 _____17 COMPLAINT UNDER THE
 CIVIL RIGHTS ACT,
 42 U.S.C. § 1983

18 I. Exhaustion of Administrative Remedies.

19 Note: You must exhaust available administrative remedies before your claim can go forward. The court will dismiss any
 unexhausted claims.

- 20 A. Place of present confinement MARTINEZ DETENTION FACILITY MARTINEZ CA
- 21 B. Is there a grievance procedure in this institution? YES NO
- 22 C. If so, did you present the facts in your complaint for review through the grievance
 23 procedure? YES NO
- 24 D. If your answer is YES, list the appeal number and the date and result of the appeal at each
 25 level of review. If you did not pursue any available level of appeal, explain why.

- 26 1. Informal appeal: N/A
 27 _____
 28 _____

- 1 2. First formal level: _____
2 _____
3 _____
4 N/A
5 3. Second formal level: _____
6 _____
7 _____
8 4. Third formal level: _____
9 _____

10 E. Is the last level to which you appealed the highest level of appeal available to you?

11 YES NO

12 F. If you did not present your claim for review through the grievance procedure, explain why.

13 THIS IS A CIVIL SUIT AGAINST THE
14 RICHMOND POLICE DEPT & ITS OFFICERS

16 II. Parties.

17 A. Write your name and present address. Do the same for additional plaintiffs, if any.

18 TORIANO G. HADSON 901 COURT ST. MARTINEZ CA. 94553
19 MA. 3921 FLEMING AVE RICHMOND CA. 94804

21 B. For each defendant, provide full name, official position and place of employment.

22 OFFC. DIAZ	— RICHMOND POLICE DEPARTMENT
23 OFFC. BROWN	" R.P.D.
24 OFFC. OJO	" R.P.D.
25 " SGT. STONEBRAKER	R.P.D.
26 OFFC. REID	R.P.D.
27 OFFC. MARWEG	R.P.D.
28 OFFC. SOUZA	R.P.D.

1 **III. Statement of Claim.**

2 State briefly the facts of your case. Be sure to describe how each defendant is involved and
3 to include dates, when possible. Do not give any legal arguments or cite any cases or statutes. If
you have more than one claim, each claim should be set forth in a separate numbered paragraph.

4 ON JANUARY 17, 2014 I SUFFERED A SEIZURE WHILE
5 DRIVING MY SUV, CAUSING AN ACCIDENT. WHILE I
6 WAS DELUSIONAL AND INCOHERENT OFFICERS FROM
7 THE R.P.D. TOOK ME FROM THE REAR OF THE PATROL
8 VEHICLE AFTER I HAD BEEN ARRESTED AND HANDCUFFED
9 AND HIT ME REPEATEDLY WITH METAL FLASHLIGHTS,
10 CHOKED ME VIA KNEE TO NECK, PUNCHED ME IN MY
11 FACE REPEATEDLY, KICKED ME IN THE MOUTH, AND
12 SLAMMED MY FACE INTO THE PAVEMENT CAUSING
13 MY TEETH TO SHATTER AND STITCHES TO BE
14 PLACED IN MY LIP. - I'M LEGALLY DISABLED!
15 WALK W/ CANE

16 **IV. Relief.**

17 Your complaint must include a request for specific relief. State briefly exactly what you
want the court to do for you. Do not make legal arguments and do not cite any cases or statutes.

18 WISH FOR \$4,000,000⁰⁰ IN DAMAGES But
19 TRYING TO SETTLE FOR \$1,250,000⁰⁰

20 I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT.

21 Signed this 5 day of FEBRUARY, 2015

22 
23 _____
24 _____
25 _____
26 _____
27 _____
28 _____

(Plaintiff's signature)

Please continue to the next page.

MAGISTRATE JUDGE JURISDICTION

Please indicate below by checking **one** of the two boxes whether you choose to consent or decline to consent to magistrate judge jurisdiction in this matter. Sign this form below your selection.

Consent to Magistrate Judge Jurisdiction

In accordance with the provisions of 28 U.S.C. § 636(c), I voluntarily consent to have a United States magistrate judge conduct all further proceedings in this case, including trial and entry of final judgment.

OR

Decline Magistrate Judge Jurisdiction

In accordance with the provisions of 28 U.S.C. § 636(c), I decline to have a United States magistrate judge conduct all further proceedings in this case, including trial and entry of final judgment.

12 | Signed this 5 day of FEBRUARY, 2015

Toriano & Hudson

(Plaintiff's signature)